

1 **SEC. . ENHANCEMENT OF WARTIME AUTHORITIES**
2 **UNDER THE FOREIGN INTELLIGENCE SUR-**
3 **VEILLANCE ACT OF 1978.**

4 Sections 111, 309, and 404 of the Foreign Intel-
5 ligence Surveillance Act of 1978 (50 U.S.C. 1811, 1829,
6 1844) are each amended—

7 (1) by striking “fifteen calendar days” and in-
8 serting “30 calendar days”; and

9 (2) by striking “following a declaration of war
10 by the Congress” and inserting “following any of the
11 following:

12 “(1) A declaration of war by the Congress.

13 “(2) The enactment of an Act specifically au-
14 thORIZING the President to introduce the Armed
15 Forces into hostilities within the meaning of section
16 2(c)(2) of the War Powers Resolution (50 U.S.C.
17 1541(c)(2)).”.

18 **SEC. . REPORT ON EXERCISE DURING TIME OF WAR OF**
19 **EMERGENCY SURVEILLANCE AUTHORITIES**
20 **UNDER THE FOREIGN INTELLIGENCE SUR-**
21 **VEILLANCE ACT OF 1978.**

22 (a) **ELECTRONIC SURVEILLANCE.**—Section 111 of
23 the Foreign Intelligence Surveillance Act of 1978 (50
24 U.S.C. 1811) is amended—

1 (1) by inserting “(a) IN GENERAL.—” before
2 “Notwithstanding”; and

3 (2) by adding at the end the following new sub-
4 section:

5 “(b) REPORTS ON USE OF AUTHORITY.—(1) If the
6 President determines to exercise the authority in sub-
7 section (a), the President shall, not later than 78 hours
8 after making such determination, submit to the Foreign
9 Intelligence Surveillance Court and to the congressional
10 intelligence committees a written report, setting forth the
11 circumstances necessitating the use of such authority.

12 “(2) Not later than 30 days after the end of the pe-
13 riod specified in subsection (a) for exercise of the authority
14 in that subsection, the President shall submit to the For-
15 eign Intelligence Surveillance Court and to the congres-
16 sional intelligence committees a written report describing
17 the exercise of such authority during such period.”.

18 (b) PHYSICAL SEARCHES.—Section 309 of such Act
19 (50 U.S.C. 1829) is amended—

20 (1) by inserting “(a) IN GENERAL.—” before
21 “Notwithstanding”; and

22 (2) by adding at the end the following new sub-
23 section:

24 “(b) REPORTS ON USE OF AUTHORITY.—(1) If the
25 President determines to exercise the authority in sub-

1 section (a), the President shall, not later than 48 hours
2 after making such determination, submit to the Foreign
3 Intelligence Surveillance Court and to the congressional
4 intelligence committees a written report, setting forth the
5 circumstances necessitating the use of such authority.

6 “(2) Not later than 30 days after the end of the pe-
7 riod specified in subsection (a) for exercise of the authority
8 in that subsection, the President shall submit to the For-
9 eign Intelligence Surveillance Court and to the congres-
10 sional intelligence committees a written report describing
11 the exercise of such authority during such period.”

12 (c) PEN REGISTERS AND TRAP AND TRACE DE-
13 VICES.—Section 404 of such Act (50 U.S.C. 1844) is
14 amended—

15 (1) by inserting “(a) IN GENERAL.—” before
16 “Notwithstanding”; and

17 (2) by adding at the end the following new sub-
18 section:

19 “(b) REPORTS ON USE OF AUTHORITY.—(1) If the
20 President determines to exercise the authority in sub-
21 section (a), the President shall, not later than 48 hours
22 after making such determination, submit to the Foreign
23 Intelligence Surveillance Court and to the congressional
24 intelligence committees a written report, setting forth the
25 circumstances necessitating the use of such authority.

1 “(2) Not later than 30 days after the end of the pe-
2 riod specified in subsection (a) for exercise of the authority
3 in that subsection, the President shall submit to the to
4 the Foreign Intelligence Surveillance Court and to the con-
5 gressional intelligence committees a written report de-
6 scribing the exercise of such authority during such pe-
7 riod.”.